

## Randolph County Commissioners

March 27, 2020

The Randolph County Commissioners met in a special meeting at 9:00AM in the Commissioners and Council Room in the Courthouse with the following members present: Board President Michael Wickersham, Tom Chalfant, remotely and Gary Girton, remotely. Also present was Randolph County Auditor Laura J Martin, Sheriff Art Moystner, remotely and County Attorney Meeks Cockerill, remotely.

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Michael Wickersham, President presided over the meeting.

### COVID-19 Update and Issues

Mike said the first thing he would like to address is his Emergency memorandum of March 23, 2020 which provided for all full-time employees with 10 days of paid sick leave for the following: Any employee subject to quarantine by order, any employee advised by health care provider to self-quarantine due to Covid-19 or any employee experiencing Covid-19 symptoms and seeking medical diagnosis and shows evidence thereof within a 72-hour period. He said this went into effect March 20, 2020 and these will be additional paid days over and above their existing sick days. He said he is realizing now and Meeks helped write this that ten days is up on March 30, which leaves a one- or two-day gap in the emergency medical leave and we need to cover that gap for the employees. He said the bill says the state's emergency leave goes into effect on April 2, 2020 but the department of labor is sending out notices that it goes into effect on April 1<sup>st</sup>. I would like to extend this emergency coverage for these benefits to and including all days until April the 1<sup>st</sup> when the Emergency Medical Leave Act is supposed to go into effect. He said he would also recommend that this memorandum and emergency leave expire on April 1<sup>st</sup> and then we will put into place the required emergency leave that is required by the emergency leave act which will extend for another 14 days.

### MEMORANDUM

Date: March 23, 2020

From: Randolph County Commissioners

Re: All Employee Handbooks

To: All employees

This policy is developed in response to the COVID-19 Coronavirus Response Act and shall become effective on and after March 20, 2020. This Emergency Paid Sick Leave Policy is effective through December 31, 2020. Emergency Paid Sick Leave shall be in addition to the County's regular sick leave policy.

The Randolph County Board of Commissioners by Mike Wickersham has amended the Randolph County Policy to provide to all full-time employees (regardless of the employee's duration of employment) with 10 days of paid sick leave for the following:

1. employee is subject to a federal, state or local quarantine or isolation order related to COVID-19;
2. employee is advised by a health care provider to self-quarantine due to COVID-19 concerns and shows evidence thereof; or
3. employee is experiencing COVID-19 symptoms and seeking medical diagnosis and shows evidence thereof within a 72-hour period;

This paid emergency sick leave will not carry over to the following calendar year.

As directed by the Center for Disease Control (CDC), employees with COVID-19 Coronavirus or who have been in isolation or quarantine due to COVID-19 Coronavirus may return to work under the following circumstances:

Employees not tested for COVID-19 Coronavirus must have had no fever for at least 72 hours (without the use of medicine that reduces fever); other symptoms must have improved; and must have been at least 7 days since the employee's symptoms first appeared.

Employees tested for COVID-19 Coronavirus must have had no fever (without the use of medicine that reduces fever); other symptoms must have improved; and received two negative tests in a row, 24 hours apart.

RANDOLPH COUNTY BOARD OF  
COMMISSIONERS

Mike said he would this motion. Tom seconded. All aye votes. Motion Carried.

Mike asked Gary Girton and Tom Chalfant if they received the March 26, 2020 memo that was sent to all employee's and elected office holders.

Gary said yes.

Tom said yes.



MEMORANDUM

Date: March 26, 2020  
From: Randolph County Commissioners  
Re: COVID-19 Response  
To: Office Holders & Department Heads

The Board of County Commissioners are meeting on Friday, March 27<sup>th</sup> in a special meeting to discuss and determine a plan in response to the Governor's Executive Order regarding "Stay-in-Place. This meeting is open to the public and we will be limited attendance to 10 people giving priority to the commissioners, the auditor, and the press and citizens.

Although I would encourage you not attend this meeting, the decisions made at this meeting will directly affect you and the operations of your office or department in that the Executive Order states essential government function can and should continue and our local government can determine what is essential

In addition to determining what offices and departments and employees are essential to the operation of county government, we will also be discussing reduced work schedules, working remotely from home, pay during times not in the office, and other matters relating to how we proceed under the Governor's Executive Order.

I believe that you as the Office Holder and Department Head are in the best position to determine the following:

1. Does your office or department perform essential government functions?
2. If so, do you have staff members who are not performing an essential government function?
3. For the staff members who perform essential government functions, can you alternate staff members to reduce staffing requirements or send some staff home and work remotely?

If you could give thoughts to these questions, this will allow us to implement a plan pursuant to the Governor's Executive order more rapidly.

If you have any questions, please let me know.

RANDOLPH COUNTY BOARD OF  
COMMISSIONERS

  
Michael Wickersham

Mike said this was a question sent out to department heads. He said what we need to do based on the Health Departments recommendation is to limit the number of people coming into the court house from an employee standpoint, coming into the departments from an employee standpoint and authorize office holders and department heads to manage their office based upon essential and non-essential functions, based upon folks that are higher risk for catching this disease and that would be people over 60 years of age, people with underlying medical conditions that could subject them to a greater chance of getting it and reduce operations as the office holder deems appropriate and with that those employees that can work from home, allow them to work from home for full pay, those employees that can't allow them to be home with full pay. He said an emergency like this requires this and I don't think it is going to work if we don't pay them. He would recommend that continue in place until the governor's order expires and when the governor's order expires then we determine where we go from there. He said hopefully if the governor's order expires, if something really truly positive happens we can get back to life as normal, if not we address it at that time not only from a county budgetary standpoint but the operation of the courthouse.

Mike said the resolution that has been prepared, gives the department heads and supervisor's and office holders the opportunity to implement a plan to allow essential county employees and departments to remain operational and also allow certain county employees to work remotely, this only applies to regular time. He said that he does not think that if we reduce staff we would

need overtime hours especially working from home or sitting at home and all employees rather at home or working remotely or just staying at home would be on call. He said that gives us the opportunity to put us in good graces with State Board of Accounts.

Mike asked Gary Girton and Tom Chalfant if they had seen the Resolution and if they had any questions.

Gary said he had seen it.

Tom asked how this was going to work in the Commissioner's departments, he asked if they need to specify or how is the decision on who stay's and who goes going to be made.

Mike said what he would recommend that they have the department heads provide their plan to the Commissioners on who is essential and who is not. He said even if they are non-essential he thinks some means of pay should be there. He said in looking at this when you hear about a government shut down in Washington they say all non-essential employees will go home with out pay and then you have to ask yourself why do we have non-essential employee's in government. He said it is a difficult line to draw between essential and non-essential and he doesn't really want to draw that for the department heads and the officers.

Mike asked Gary Friend, President of the County Council if he had any thoughts on non-essential people getting paid.

Gary said paying or not paying is not a budgetary issue at this time. He said that the Commissioner's plan that the department heads report to the them what their plans are would be the way to go.

Tom said it is not fair that some people get to go home with full pay and others have to work for the same pay. He said do you need full pay if your home, you won't be spending money on clothing and transportation. He said we will be facing prosperity issues sometime in the next year or two.

Mike said he does not disagree with that. He said his thought is that until April 6<sup>th</sup> at 11:59 pm the county can afford it and for this to be put into place they are going to have to do this and pay them and if the governor orders another stay at home for another month then we need to consider how to address this and we will have ten days experience on how we did address it during this period and see where we can fine tune it and make it better. He said this is his thought on this and it is not forever. He said if we are saying we want less people in this courthouse, then we are trusting the office head to reduce that staff and we are trusting the employee to go home, be on call, and if there is work to be done, it should be done and if not then we are going to have to just absorb that. He said the other side of this is which is somewhat selfish, when you lay people off they are going to claim unemployment and we are fully self-funded for unemployment so we would have to pay that anyway. He said as Gary said it is budgeted and this is a cooperation between every employee and the Commissioners. He said that is why he likes this resolution.



Tom said that he can support it, but he thinks the people under the Commissioner's direct supervision will be looking to them for guidance.

Mike said the other side of it is, for most departments he would presume it will be rotating shifts, he said example one person would get Monday, Tuesday and Wednesday off and the other person would work Thursday and Friday and the next week they would switch. He said for the Commissioner's departments, the Highway department being the biggest department under them, it is shared and it has to be set up to best serve you and your department. He said we can divide the Highway Department or you can.

Tom said the Highway is his biggest concern and he would say that they are essential and he does not think there is a risk of exposure, so he would think that they would all need to be at work at their regular time and regular pay going forward.

Mike said he does not disagree with that other than when we say be at work, they cannot all congregate in the Highway garage, so there needs to be a plan to stagger those shifts and that might be reduction of hours for some of them. He said he does not think they can be out in the same truck together.

Tom said they have been working through that and so far, they have all agreed to partner together and ride in the same vehicle.

Mike said he does not think that they should. He said that is an unnecessary risk at this time.

Gary Girton said that he agrees that they should not ride together because that is a risk. He said that would put us in a position that we do not want to be in. He said he thinks the resolution pretty well covers what we need to be doing right now up until the governor makes a change. He said we are in a position of a learning curve and if we have to make another decision in a few days if that is the case.

Mike said he does like the idea of highway workers partnering up because then you are exposed to one person, but if that one person goes home and has contact and then comes back and I am riding within six feet of you. So, the same truck concerns me and I don't know if Mike Haffner can work around that or not.

Tom said the total patcher will be a problem, it is a three-person operation, one of them is out on the road walking and then you get done and you move a mile to another part of the road and his truck is back at the first mile. Someone would have to drive the walker back to the other truck or he is going to have to walk that extra mile to get it. He said that is probably the main issue, the rest of the work can be done in separate trucks.

Mike said can we agree to conference with Mike and see if he can come up with a plan to eliminate riding in the same truck and maybe take extra precautions with the total patcher.

Tom said there are solutions, it is just going to be thinking them through.

Judge Toney asked if this process that we are trying to go through apply to part-time employee's also since he has one.

Mike said the resolution does reference part-time and that they would be paid for hours regularly worked. He said this is for 10 days, it ends on Monday April 6<sup>th</sup>. He said we are scheduled to meet on Monday April 6<sup>th</sup> although the Health Department told him that they should meet virtually.

Art Moystner asked if it is a non-essential person that we send home, we are going to pay them to be at home but those that are still working are still getting straight time.

Mike said yes.

Art said some of the surrounding sheriff's that he has talked to have went to a situation where they have implemented a similar thing to where they have some employee's at home and not working and they are actually paying the ones that continue to work at time and one half. He said that came from the commissioner's in those counties. He said it is not necessarily pay, but some of them have said that it is a reimbursable item. He said his concern is if we send the non-essentials home and we deem those essential at least those in emergency services are the ones still going out and are at more risk than anyone else and at risk of taking that back home. My concern is if we are going to sent the non-essential's home and they are going to get paid the same as the essential's that are out working. He said he is afraid that he is going to have guys that start calling in sick.

Mike said if I am working and I work overtime, I am going to get overtime.

Art said I am talking their straight time because they are getting the straight eight. He said it used to be that if the courthouse had an emergency closing then the courthouse employees would still get paid for the emergency closing until that policy was changed and at that point in time the emergency services departments would get 1.5 times for those day.

Mike said if they are working.

Art said correct, so the employees that are at home, he said the surrounding sheriff's departments have sent their detectives home and they are getting paid and are in an on-call status. He said they are getting straight time unless they are called out. He said and then those that are working the road are getting time and one half is what they are explaining to him.

Mike said they are getting 1.5 times for every hour that they put in.

Art said correct, they are getting 1.5 times for their initial 40 hours and for any time over their initial 40. He said some of them are planning on trying to, he said some of them do over time and some of them do comp time, he said those that do comp are going to try to apply to the federal government at the end of this to pay out the comp hours that they have given and tie it to the Covid situation. He said my concern is that they are the ones still going out, still taking calls, still interacting with the public.



Tom said it is a fairness situation, why am I out here working and he is sitting at home making the same money.

Art said obviously we have to have that minimum strength out on the road to protect the county.

Mike said so all essential employees would be on duty at all times.

Art said the essentials would yes. He said the situation that we would get into is like the detectives, I could send the detectives home, some of the secretaries could be sent home, there are a few items that we would do by appointment so that if someone was to call in we would arrange an appointment and get ahold of that secretary and tell them we have set up three appointments for you on Friday morning handgun permits, because my fear with cutting off handgun permits is that this is a constitutional item and I don't want to get the county inked up for not allowing somebody to fulfill their second amendment right.

Mike said that is an interesting dilemma. He asked if either Gary would like to chime in on this.

Gary Girton said this is something that he had not thought about or even heard of. He said that in his opinion they should leave that up to the sheriff.

Mike said the resolution as it is written does not allow for that. He said he thinks it goes beyond the sheriff with EMS and E911 unless there is opportunity and I know the sheriff cannot, I don't know about EMS, they just lost another driver this week so they are probably not going to be able to send anybody home.

Chris Shaneyfelt said as this thing surges up start losing people.

Mike said it is a fairness issue. He said I have a council member on the line. What is your thoughts Gary?

Gary said to be totally fair across the board is going to be a difficult task anyway. He said what we are looking at on the budgetary side is. He said what Art is talking about would actually be 2.5 times the rate, so for every 40 hours it would cost the county 100 hours whether it be comp time or pay. He said the budget could sustain it right now but if we push our comp time up to 480 we are going to have to pay that out right away. He said we want to be as fair as we can be, so we would have to look beyond the sheriff's department. He said we would need to keep good track so that if FEMA is going to make any payments back to the county we can capture that and explain how it is that we paid 2.5 times the rate. He asked Art if that is what he is talking about 2.5 times the rate.

Mike said Art is saying just 1.5 times. He related it to the courthouse closings, but he is saying he is not asking for them to be paid for being at home plus being out working, they would just be paid 1.5 times for working.

Art said it would be the same as working a holiday.

Gary said so that is not a 2.5 times rate issue.

Mike said no it is a 1.5 times rate issue. He said that is bonusing them for working and he would take the position if somebody said they should get 2.5 times I would ask them to read the governors executive order and our resolution, we have to have a little cooperation here.

Gary said it is necessary right now if we can pay for it. We just need to track so if there is any federal funding that we can recapture because of this.

Mike said it is 1.5 times and that is 1.5 times for the Sheriff's Department, E911 center and the Emergency Medical Services office. He said if we were going to extend this to the highway department, he would rather see us consider reducing operations during this emergency and rotating men in and out. He said that could be done as he understands it. He said he would prefer that rather than pay them 1.5 times.

Gary Friend said if we were to extend the 1.5 times to the highway department we would have to make sure that we follow the guideline of 50% of the highway fund being used for highway repair not salaries.

Mike said that might push that. He said what he s hearing is a recommendation from the Sheriff that we amend our resolution which that would include 1.5 times pay for the essential personnel of the Sheriff's Department, E911 center and the Emergency Medical Services.

Tom asked if we have an idea of an approximate amount of money we are talking about.

Art said initially you would be giving it in comp time. He said but no, he would not have that figure.

Tom said 50 people 10 days 1.5 times pay.

Art said his staff would be 20 on the road, 16 in the jail because he would not figure into that. So that would be 36 personnel and then if you would add one or two.

Mike said just use 40 that would be an easy number to multiply.

Chris said E911 would be 16.

Mike said EMS is 14. He said that is 70 times 1.5. He said so if they make an average of \$15.00 that is  $750 \times 70$  is \$5,000.00 per day.

Tom said so \$50,000.00.

Mike said this is a fairness issue and 1.5 times is not out of the ordinary if other counties are doing and I understand why they are doing it. He said it would be comp time so it would not be a budgetary issue.



Mike asked Gary Girton and Tom Chalfant if they want to amend the Resolution to indicate that those essential employees that are working and while working will be paid 1.5 times their regular rate for hours worked.

Tom said it is hard to foresee all the unforeseen consequences, but it is feasible.

Gary Girton said so we would just do this up through the 6<sup>th</sup>.

Mike said at this time our Resolution is going to expire when the Governors order expires. He said really the Resolution says until such time as the emergency from the Covid-19 virus has been lifted. He said it would probably be prudent to modify that paragraph to say until April 6<sup>th</sup> at 11:59 pm. He said and then we agree to address it. He said he will call Meeks and let him know what we want to include in here. He is going to have him add a paragraph that any employee working in the Sheriff's Department, E911 or Emergency Medical Services shall be paid time and half of their regular pay while working.

Judge Haviza asked for clarification if this is 1.5 times more than what they would normally be paid or are you just saying they will get paid the same as they would have been paid if working.

Mike said if they are working they are going to be paid their regular rate of pay but it will be treated as overtime pay so it will be 1.5 times their regular rate of pay.

Laura said for Emergency services only.

Mike said Sheriff's Department, Emergency Medical Services and E911. He said the reason they are doing this is because those three departments are essential workers as he is hearing from Chris and Art that they cannot adjust their work schedule to where those employees can be at home. He said at this point in time and he has had a lot of response from several office holders, they can adjust their schedules to allow some people to work from home or be at home and other report to work and be at work. So, at this point and time he would like to limit it to those three departments. He said because of this some people are going to get days off with pay. He said the Sheriff's essential employees, E911 essential employees and the EMS employees are not going to get time off with pay.

Gary Girton asked what Gary Friend's input was as far as financing was concerned.

Mike said his input was that number one they would be paid comp time, so it would not be an immediate budgetary issue.

Gary Girton said but it could be eventually.

Mike said it could very well be eventually, yes. He said as well it would be something we could put in our reimbursement columns from FEMA because of this issue. He asked Gary Friend if that is a fair statement.

Gary Friend said yes, it is.

Chris said that they were only allowed to have 60 hours of comp time. He said he realizes that this is an emergency situation, but it is going to take them a while if they build up all of this comp time.

Mike said they will deal with that at that time. He asked if there were any other comments or questions. He asked if everyone is clear on what we are doing.

Mike said then he would like to ask that somebody make a motion to adopt Resolution 2020-07 as amended today.

Resolution 2020-07

A Resolution Requiring Certain County Continuity of Services  
And Employees to Work Remotely during Declared Emergency

WHEREAS, the Governor of Indiana has declared a public health emergency for Coronavirus Disease 2019 Outbreak ("COVID-19") pursuant to I.c. 10-14-3-12;

WHEREAS, the President of the United States has declared a national emergency for the same;

WHEREAS, it is imperative to allow certain county employees to work remotely in an effort to curtail the community spread of COVID-19;

WHEREAS, it is important for the continuity of services to the County, its vendors and employees;

WHEREAS, allowing certain employees to work remotely will further help promote the safety and well-being of both county employees and general public during the declared emergency;

WHEREAS, allowances need to be made for those employees whose position cannot be performed remotely as to payment of salaries.

WHEREAS, the Board of Commissioners has determined that the following procedures shall be implemented effective March 27, 2020 until April 6, 2020 at 11:59 p.m.

NOW THEREFORE, IT IS RESOLVED BY THE BOARD OF COMMISSIONERS OF RANDOLPH COUNTY that:

1. The procedure for the approval of claims pursuant to I. C. 36-4-8-5 shall be waived in the event that a regular public meeting of the Board of Commissioners cannot be convened and the President of the Board of Commissioners (if he is able and if he is not able then the Vice President) shall review and approve all valid claims that would have otherwise been presented at the meeting.

2. The Commissioners have required some or all of the employees of the County to refrain from coming into the County Offices during the time of this national emergency as per



I.C. 10-14-13-12 and for those employees that are directed to refrain from coming to work they shall continue to receive their regular pay and this pay shall be deemed to be "Emergency Stay Home Pay" and shall be limited to the employee's regular salary in the County salary ordinance without any overtime.

3. Department heads and department supervisors shall implement a plan to allow essential county offices and departments to remain operational but to also allow certain county employees to work remotely until further notice.

4. Those employees that work remotely shall receive pay (hourly and/or salaried) for their regularly scheduled non-overtime work hours subject to the conditions set forth as follows:

a. If some or all of the employee's job functions can be performed from home, the employee is expected to perform those job functions from home during the employee's regularly scheduled non-overtime work hours; and

b. During the employee's regularly scheduled non-overtime work hours during the emergency, the employee is considered "on-call" and therefore, must be available by phone to respond to calls from other County officials and must be available to return to their work station within two (2) hours of notice from their supervisor, Commissioners, or his/her designee.

c. The employees of the Sheriff's Department, the E911 Center, and the EMS Office shall be paid one and a half times their regular pay while at work and on duty.

5. For those employees that cannot work remotely, they shall be considered to be "on call" in the event that during the emergency their services are needed. Said employees including temporary, seasonal or part-time employees shall be paid for hours regularly worked.

6. No employee may work or earn compensation from any other source during the employee's regularly scheduled non-overtime work hours (i.e., for which the employee would earn Emergency Stay Home Pay).

7. For those employees that are required to work remotely or to perform they shall receive their regular compensation as per the County salary ordinance and shall receive compensatory time as per the County Employee Handbooks.

8. Accruals for the benefit of calculations such as vacation pay, sick leave pay, holiday pay and seniority determinations shall continue to accrue during the public emergency closing.

9. Employees on vacation, FMLA or sick leave while the county offices are closed to both the public and employees shall be charged with their vacation, FMLA or sick leave and at the conclusion of their paid time off shall be eligible to receive their regular income during the course of the pandemic emergency closing. Employees on sick leave or FMLA leave shall submit a medical release from their medical provider to qualify for Emergency Stay Home Pay during the pandemic emergency closing.

Gary made a motion to adopt Resolution 2020-07 as amended today and give Mike Wickersham the authority to sign on behalf of the Commissioners. Tom seconded. All aye votes. Motion Carried.



Mike said that he was called by Dr. Allison Syme yesterday and Dr. Syme is working diligently to try and get our county ahead of this thing and she is of the opinion along with Dr. Sowinski and Dr. Watkins that the best way to get ahead of this thing is for the county to invest in a rapid response Covid-19 tester. He said right now when you get a test it takes 9 days to get a result and sometimes it can take up to 14 days. The fact is that if it takes 9 days and you test positive anybody that has had contact with you should be quarantined for 14 days after taking the test. He said if you don't know for 9 days then that person has been in contact with others for that 9-day period and we are ignoring that basically. He said that he was advised that his people that had been in contact with his employee who was infected should have 14 days quarantine and that time does not start from the day they were told he was infected, it starts from the date that he took the test which in this case back dated 9 days, so they are only going to be quarantined for 5 days. He said for the 9-day period they could have infected who knows how many. He said a 45-minute test is what Dr. Sowinski told him this morning, basically you get the test and you get the results in 45 minutes and it moves everything up.

Tom asked how much this would cost.

Mike said I hesitate to say, because they really don't know. He said they are investigating it. He said one thing she wants to make sure of is before we would invest in a machine like this they want to know how accurate it is. He said that she suspects that it is going to be as accurate as any test we are giving today but she has not confirmed that. He said the machine itself, she has found out are between \$25,000.00 and \$80,000.00 and he doesn't know if that has to do with the number of cartridges they can test at a time. He said he seen on the news last night some of them have to wait until they get 96 cartridges in them to test at a time and some of them can test 4 cartridges at a time. He said if you had to wait on 96 cartridges for Randolph County that would not work, you might as well wait the two weeks anyway. He said he thinks that is what the delay in the testing is they are gathering all of these tests. Anyway, she said between \$25,000 and \$80,000.00 and each test cost \$42.00 and she thinks Randolph County will eventually need 2000 test kits but to begin with she thinks 200 would work. He said that is a potential of \$100,000.00 investment if she can find the test and if the machine is available to buy. He said her thought process is there is a little cement block building out in front of St. Vincent Randolph Hospital and she would like to use that building as a drive-up facility, to get a drive-up test, therefore you don't have to have all the protective equipment and we don't have people that are ordered by their Doctor or healthcare professional to go into the hospital or the health department. He said she thinks she has some private contributions and she thinks the City of Winchester has committed to supporting this and she has asked him if the Commissioners would support this and he was hoping he would have a result this morning from Dr. Sowinski saying that he found one and it would cost this much and we want to buy it but he doesn't have that information. He said with that being said it seems to him that if they have the opportunity to buy it, it would be something that can't wait for the Commissioners to call a meeting on it to decide whether to buy it. He said he thinks it is a good idea. He said the rapid response saying either you are or you are not and if you are then your contact list is contacted then and if you're not then you don't have to worry about it. He said he doesn't know and he has not asked the question if and he doesn't think it is but they are looking to test for antibodies to see if you have had it and now are immune, he doesn't think it covers that, he thinks it just tests for the actual virus itself. He said the only benefit is that it will move up the timeline of anybody that is required to have a test by



their doctor by a potential of 9 to 14 days. He said this is information that all health care providers in our county would have quicker.

Mike said with that he would ask the Commissioner's under the Emergency document to give him the authority tell Dr. Sowinski if he recommends buying this machine and 200 cartridges up to \$100,000.00 to go ahead and do that.

Gary said he would make that motion to give Mike the authority to go ahead and move on that based on Dr. Sowinski's recommendation.

Mike said Dr. Sowinski is in conference with Dr. Watkins and Dr. Syme so it would be the three of them coming to this conclusion.

Tom seconded that motion.

Gary Friend said he thinks it is a good idea also and there is more than one funding and that can be ratified after it is done.

Mike said one might argue its economic development if we can keep people at work.

Chris Shaneyfelt said since this is a Covid emergency and we are buying it for Covid testing it may also be FEMA reimbursable.

Mike asked all in favor of the motion to signify by saying aye. All aye votes. Motion carried.

### **Tom Chalfant**

Tom said he has a couple of highway issues.

He said we opened a bid for a truck bed last meeting, it was only one bid, but it was in line with the one purchased last year so Mike Haffner would like for us to approve this bid.

Mike asked Tom if that was a motion.

Tom said yes. Gary seconded. All aye votes. Motion carried.

Tom said he talked to Cripe and they are not willing to give us any reimbursement on our fees and so the other question is should we participate in the split of the discounted restocking fee of \$18,000. He said he is opposed to agreeing to this, he thinks we should just let them handle it.

Mike said we will do without a generator.

Tom said for a while. He said we can still order one but he would like to let them know that we do not want to participate in the restocking fee, since we have had many costs over runs at their negligence. He said the pad is there and the electric is there, so we could go ahead and purchase one and have it installed outside of the scope of this project or even inside the scope possibly within a couple of weeks.

Mike asked if we sent Cripe a demand letter.

Tom said no, he just talked to him on the phone and outlined some of the things, but he is of the opinion that they did their job, we have an excellent facility and so forth. He said in his understanding he thinks they did nothing out of the ordinary and he thinks the contractor does too.

Mike said so the only issue at hand is whether we participate in the 1/3 share of the restocking fee.

Gary said he does not agree, he does not think we should participate.

Mike said you do not think we should pay the \$6,000.00.

Gary said no.

Mike said you agree with Tom then.

Gary said yes.

### **Citizen Comments**

Judge Toney asked regarding the rotating of the employees, the deadline is April 6<sup>th</sup>, so this goes thru the 6<sup>th</sup>.

Mike said yes, it goes through the 6<sup>th</sup> and it starts today.

Art said he would like the Commissioners to consider, we have had the door project at the Sheriff's Department that has been tabled and this is a pretty big issue, he has had an intercom issue in the last couple of weeks as well as a couple of door issues, he said he is not sure how he can move forward with this but this is a nine to twelve month build.

Mike said this needs to be addressed and our next regular scheduled meeting right now is scheduled for Monday the April 6<sup>th</sup> and he was advised by the health department to do it virtually if we can, which we are kind of doing this today. He said his concern is that we do not have money at his disposal to pay for this project and council has already cancelled their meeting for April 7<sup>th</sup>. He asked Gary Friend what his thoughts were on this.

Gary said he did not hear all of what Art said.

Mike said Art is concerned about the delay of his jail security system project because it is a nine to twelve month build and it is getting worse week by week. He said the Commissioner's could act in a virtual meeting to accept the bid, but we don't have any way to pay for it.

Gary Friend said obviously I think with the Governors order the Chief Executive can do it and then the council can ratify behind it and catch up to it if it has to be done. He said to encourage



Art if possible to give council one month to address emergency first. He said he knows it is a need that is not in question but the emergency is priority at this moment in time.

Mike said I think the issue there is that nothing is going to happen in April because the Commissioners do not have the funds under their control in his opinion to pay for the whole thing, he said they could pay for part of it. He said we could accept the bid and award the contract.

Gary Girton said I think that is something the Commissioner's should consider. He said to accept the bid because what Art is saying we are out nine months and by statute we cannot pay ahead of time.

Mike said they will not be coming in anytime soon to do the work.

Gary said they are going to build it at their facility and then bring it down to install it, so we are talking about few months or at least a couple of months before we will get a bill for anything.

Art said he thinks this company will work with us.

Mike said we could go ahead and accept the bid today.

Gary said that would be his recommendation.

Mike said we do have the funds although when Gary Friend talked about using three funds to pay for it.

Gary Girton said I do not disagree with that but I think we need to move forward with it and with the time frame involved we and move forward accepting the bid and we can come up with the money that is going to be required to pay along the way.

Mike said ultimately EDIT could pay for it all, but I don't want to do that.


Gary said he will make the motion to accept the bid for the jail security system. Tom seconded. All aye votes. Motion carried.

### **Adjournment**

Tom made a motion to adjourn. Gary seconded. All aye votes. Motion Carried.

Reviewed and signed this 1 day of June, 2020.

RANDOLPH COUNTY COMMISSIONERS

  
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Iron Chalfont

Gary Centers

ATTEST: Laura J Martin  
Laura J Martin, Auditor of Randolph County